

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION  
IN ADMIRALTY

MARIA BRIEM and TORSTEN  
BRIEM,

Plaintiffs,

v.

Case No. 2:18-cv-301-JLB-NPM

HOLIDAY WATER SPORTS FT.  
MYERS BEACH, INC. and JACK  
GRADDY,

Defendants.

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**ORDER**

Plaintiffs Maria Briem and Torsten Briem brought this personal injury action against Defendants Holiday Water Sports Ft. Myers Beach, Inc. and Jack Graddy relating to injuries sustained by Maria Briem from a wave-runner incident. (Doc. 8). Nearly six months after filing this action, Holiday Water Sports filed an exoneration from or limitation of liability action regarding the same incident. (*See In re: Holiday Water Sports Ft. Myers Beach, Inc., for Exoneration from or Limitation of Liability as the owner of a fleet of Yamaha Wave Runners*, No. 2:18-cv-663-FtM-JLB-NPM). As a result, the personal injury action was stayed pending a resolution of the limitation action. (Doc. 40).

In the limitation action, the Briems moved to lift the stay of any claim arising out of the incident and requested the limitation action be stayed until the conclusion of the personal injury action. (*See* Doc. 43; *see also* Doc. 49, No. 2:18-cv-663-JLB-NPM). The Court granted the relief conditioned upon the Briems filing certain sworn stipulations, which they have done. (*See* Docs. 71, 76, No. 2:18-cv-663-JLB-NPM). The Court finds the stipulations comply with the February 12, 2021 Order in the limitation action. (Docs. 71, 76, No. 2:18-cv-663-JLB-NPM).

Accordingly, the Court lifts the stay in this action. By **April 13, 2021**, the parties will confer and file a joint Uniform Case Management Report found on the assigned judges' websites. Thereafter, the Court will schedule a preliminary pretrial conference by separate notice. The Clerk is directed to remove the stay flag.

**DONE and ORDERED** in Fort Myers, Florida on March 15, 2021.

  
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NICHOLAS P. MIZELL  
UNITED STATES MAGISTRATE JUDGE